

REMARKS/ARGUMENTS

1. *Status of the claims*

Claims 1-5 are pending with the Amendment.

2. *Suspension of Action*

Applicants previously requested suspension of action for this application to deposit seed under the Budapest Treaty for wheat varieties Chousen 30, Chousen 57, Turkey 116, and Kanto 79. Applicants have now deposited the seeds. As evidence of the deposit, Applicants provide herein a copy of the deposit receipt (including a translation) as well as a declaration from the inventor stating that the deposits were indeed made and that all restrictions to access will be removed when the patent application is granted.

Accordingly, Applicants respectfully request withdrawal of the suspension of action and withdrawal of the rejection under 35 U.S.C. § 112, first paragraph.

Appl. No. 09/325,819
Amdt. dated September 19, 2003
Reply to Office Action of June 11, 2002

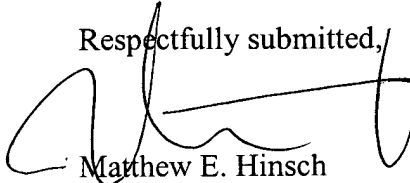
PATENT

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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